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Gunter Fuhr

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EXAMINER

ALI, MOHAMMAD M

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ELECTRONIC

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Election/Restrictions

Newly submitted claims 21-26 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The new claims 21-23 claims data memory chip which specifically differs from the original claims and belongs to class 340 which involves a different search strategy. Similarly the new claims 24-26 claims a specific feature of data bits which also belongs to class 340 and needs special additional search.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 21-26 have been withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7-8, 10, 12-13, 15-15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Smollett et al., (3,292,424). Smollett et al., disclose a cry storage device 22, and at least one data storage device 69 (The examiner considering relay as a data store device to store data when to operate the relay), and at least one sample